

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ZEICHNER, ELLMAN & KRAUSE, LLP,	:	
Plaintiff and Interpleader Plaintiff,	:	
	:	No. 07-CIV-9521
v.	:	
KATHY COKUS, Defendant and Interpleader	:	<u>MOTION TO DISMISS</u>
Defendant, and OCTAVIO PENA, Interpleader	:	<u>DUE TO PENDENCY</u>
Defendant.	:	<u>OF A PRIOR ACTION</u>
	:	

AND NOW, comes Defendant Kathy Cokus, by and through her undersigned counsel, Bochetto & Lentz, P.C., and moves this Court for an Order dismissing this action due to the pendency of a prior action. In support of this Motion, Cokus incorporates by reference the accompanying Memorandum of Law being filed contemporaneously herewith.

Respectfully submitted,

BOCHETTO & LENTZ, P.C.

/s/

By: _____
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Date: November 14, 2007